

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: ASBESTOS PRODUCTS  
LIABILITY LITIGATION (NO. VI)**

**MDL DOCKET NO.: MDL 875**

**THIS DOCUMENT RELATES TO:**

**SEE EXHIBIT A (ATTACHED CASE LIST)**

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**ERICSSON INC.'S MOTION FOR DISMISSAL BASED ON PLAINTIFFS'  
ADMINISTRATIVE ORDER NO. 12 SUBMISSIONS**

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COMES NOW Ericsson Inc. (hereinafter, "Ericsson), Defendant in the above-captioned cases, and files this Motion for Dismissal Based on Plaintiffs' Administrative Order No. 12 Submissions, respectfully showing the Court as follows:

1. Administrative Order No. 12 requires, among other things, that "[t]he plaintiff in each case shall identify all of the named defendants in the following manner: (a) Each defendant with whom the plaintiff has achieved resolution of his/her claim, whether by settlement or agreement to dismiss without payment or by payment of a claim through the bankruptcy court, shall be identified and, where a dismissal has not yet been entered of record, a proposed order shall be submitted." (Amended Administrative Order No. 12, ¶ 3, attached hereto as Exhibit "B").
2. In each of the Administrative Order No. 12 submissions pertaining to the plaintiffs listed on Exhibit A (with the exception of plaintiff Harold Brant), the plaintiffs have identified ERICSSON, ERICSSON INC., and/or ANACONDA (Ericsson's predecessor) as being RESOLVED. (*See* Administrative Order No. 12 Submissions, attached hereto as Exhibit "C").

3. As for plaintiff Harold Brant, the plaintiff has not provided any Administrative Order No. 12 submissions. However, in 2004, an Order for Dismissal in certain Cascino Vaughan “non malignant and non-impaired asbestos action[s]” was entered. This Order for Dismissal included the Harold Brant matter, Case No. 2:00CV498JM. Ericsson now respectfully requests that the *Harold Brant* case be removed from the CVLO-2 group of cases, as it was dismissed by the plaintiffs in 2004. (*See* Order of Dismissal, attached hereto as Exhibit “D”).
4. Despite their listing Ericsson as a resolved defendant in the Administrative Order No. 12 submissions for the plaintiffs on the attached Exhibit A, the plaintiffs did not submit any proposed orders for dismissal of Ericsson, as required by Paragraph 3(a) of Administrative Order No. 12. Ericsson now submits proposed orders for the dismissal of Ericsson from the cases that are listed on the attached Exhibit A. (*See* Proposed Orders of Dismissal, attached hereto as Exhibit “E”).

WHEREFORE, for the foregoing reasons, Ericsson respectfully requests that this Court enter an Order of Dismissal, dismissing the claims of each plaintiff listed on the attached Exhibit A.

This 26<sup>th</sup> day of August, 2011.

4000 SunTrust Plaza  
303 Peachtree Street, NE  
Atlanta, GA 30308-3243  
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HAWKINS & PARNELL, LLP



Ollie M. Harton

Pennsylvania Bar No. 58268  
Counsel for Ericsson Inc.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**In Re: ASBESTOS PRODUCTS** )  
**LIABILITY LITIGATION (No. VI)** )  
 ) **MDL DOCKET NO.:**  
**MDL-875.**

)  
**THIS DOCUMENT RELATES TO:** )  
**SEE EXHIBIT A (ATTACHED CASE LIST)** )  
 )  
 )

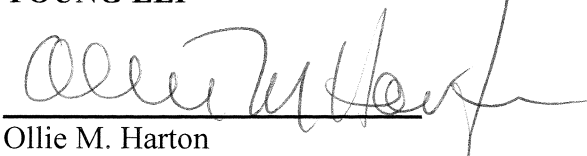
**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing **ERICSSON INC.'S  
MOTION FOR DISMISSAL BASED ON PLAINTIFFS' ADMINISTRATIVE  
ORDER NO. 12 SUBMISSIONS** with the Clerk of the Court for the United States  
District Court for the Eastern District of Pennsylvania by using the CM/ECF system. I  
certify that all participants in the case are registered CM/ECF users and that service will  
be accomplished by the CM/ECF system.

This 26<sup>th</sup> day of August, 2011.

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303 Peachtree Street, NE  
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**HAWKINS PARNELL THACKSTON &  
YOUNG LLP**



Ollie M. Harton  
Pennsylvania Bar No. 58268  
Counsel for Ericsson Inc

## EXHIBIT “A”

Last Name	First Name	Filing State	Filing District	Local Case #	PA-ED Case #
Brant	Harold	IN	NORTHERN	00-0498	10-CV-67723
De Witt	Elsie	IL	NORTHERN	01-1968	08-CV-90189
Deloach	Thomas	IL	NORTHERN	00-5175	08-CV-90144
Gaddy	Clifford	IL	NORTHERN	00-2201	08-CV-90081
Green	Ella	IL	NORTHERN	00-4167	08-CV-90129
Hester	Billie	IL	NORTHERN	00-2117	08-CV-90072
Hollins	Willie	IL	NORTHERN	01-2006	08-CV-90201
Johnson	James	IL	NORTHERN	00-8175	08-CV-90156
Miller	Albert	IL	NORTHERN	00-02154	08-CV-90074
Moore	James	IL	NORTHERN	00-2039	08-CV-90069
Roberson	Freddie	IL	NORTHERN	00-2198	08-CV-90080

## EXHIBIT “B”

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>In Re: ASBESTOS PRODUCTS</b>	)				
<b>LIABILITY LITIGATION (No. VI)</b>	)				
	)	<b>MDL</b>	<b>DOCKET</b>	<b>NO.:</b>	
<b>MDL-875.</b>	)				
	)				
<b>THIS DOCUMENT RELATES TO:</b>	)				
<b>SEE EXHIBIT A (ATTACHED CASE LIST)</b>	)				
	)				
	)				

**ORDER GRANTING ERICSSON INC.'S MOTION FOR DISMISSAL BASED ON  
PLAINTIFFS' ADMINISTRATIVE ORDER NO. 12 SUBMISSIONS**

This matter coming to be heard on Ericsson Inc.'s Motion for Dismissal Based on Plaintiff's Administrative Order No. 12 Submissions, IT IS HEREBY ORDERED that Ericsson Inc.'s Motion for Dismissal Based on Plaintiffs' Administrative Order No. 12 Submissions is GRANTED in the cases listed in the attached Exhibit "A".

Date: \_\_\_\_\_

\_\_\_\_\_  
Honorable David R. Strawbridge



## EXHIBIT “A”

Last Name	First Name	Filing State	Filing District	Local Case #	PA-ED Case #
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